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Security Council

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Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Note verbale dated 19 May 2009 from the Permanent Mission of Switzerland to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of Switzerland to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia and has the honour to bring to his attention the following information with regard to the implementation of the measures set out in paragraphs 1 to 7 of resolution 1844 (2008).

On 19 May 2009, the Swiss Federal Council (the Government) adopted an ordinance instituting measures against Somalia* with a view to implementing United Nations sanctions against Somalia. The legal basis for the ordinance is the Federal Act of 22 March 2002 concerning the application of international sanctions.

Paragraphs 1 and 2: measures concerning entry and transit

Article 4, paragraph 1, of the ordinance prohibits the entry into and transit through Switzerland of the individuals listed in the annex. The names of the persons to whom such measures apply will be included in the annex as soon as the Committee has published a list. Article 4, paragraph 2, of the ordinance gives the competent federal authority in this matter the power to grant derogations in accordance with the decisions of the Committee.

Paragraphs 3 to 5: freezing of funds, other financial assets and economic resources and prohibition of transactions

The financial sanctions set out in paragraph 3 of resolution 1844 (2008) are implemented under article 2, paragraphs 1 and 2, of the ordinance. The derogations provided for in paragraphs 4 and 5 of that resolution are implemented under article 2, paragraphs 3 and 3 (b), of the ordinance.

* The text of the ordinance is on file with the Secretariat and is available for consultation.

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Paragraph 6: embargo on weapons and other military equipment and prohibition on the supply of services related to military activities in Somalia

The general and complete arms embargo against Somalia is implemented under article 1 of the ordinance. Before the ordinance entered into force, implementation of the embargo was based on the Federal Act concerning military equipment of 13 December 1996 and the Federal Act concerning the control of dual-use items and specific military items of 13 December 1996 and, before 1996, on prior legislation on the matter.

Paragraph 7: prohibition on the supply of weapons, military equipment and related services to individuals or entities designated by the Committee

Pursuant to article 1, paragraph 3, of the ordinance, the embargo on military equipment and services related to such equipment and to military activities shall also apply to the individuals, companies and entities listed in the annex.